MUNICIPAL
WASTEWATER LAND APPLICATION
PERMIT

LA-000090-02

Resort Water Company

Resort Water Company, 10000 Schweitzer Mountain Road, Sandpoint, ID 83864 IS HEREBY AUTHORIZED TO CONSTRUCT, INSTALL, AND OPERATE A WASTEWATER-LAND APPLICATION TREATMENT SYSTEM IN ACCORDANCE WITH THE WASTEWATER-LAND APPLICATION RULES (IDAPA 58.01.17), THE WATER QUALITY STANDARDS AND WASTEWATER TREATMENT REQUIREMENTS (IDAPA 58.01.02), THE GROUND WATER QUALITY RULE (IDAPA 58.01.11) AND ACCOMPANYING PERMIT APPENDICES AND REFERENCE DOCUMENTS.

THIS PERMIT IS EFFECTIVE FROM THE DATE OF SIGNATURE AND EXPIRES FIVE YEARS FROM THE DATE OF SIGNATURE.

Ed Tulloch

Gwen P. Fransen, Regional Administrator
Idaho Department of Environmental Quality

Signed this 4th day of June, 2002

DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)
2110 Ironwood Parkway
Coeur d'Alene, Idaho 83814
(208) 769-1422
(208) 769-1704fax

POSTING ON SITE RECOMMENDED

B. Permit Contents and Reference Documents

The Sections, Appendices, and Reference Documents listed on this page are all elements of Wastewater-Land Application Permit and are enforceable as such. This permit does not relieve the permittee from responsibility for compliance with other applicable federal, state or local laws, rules, standards or ordinances.

C. Facility Information

Legal Name of Permittee	Resort Water Company
Type of Waste	Municipal wastewater
Method of Treatment	Slow Rate - spray irrigation, subsnow application, or experimental growing season surface application using subsnow distribution.
Type of Facility	Municipal
Site Acres	**Schweitzer:**36 acres spray irrigation and 34.42 acres subsnow application **Outback:** 4 acres subsnow or experimental surface application.
Facility Location	Schweitzer Mountain, Bonner County, Idaho
Legal Location	**Schweitzer:** T58N, R2W, S21 **Outback:** T58N, R2W, S8
County	Bonner
USGS Quad	**Schweitzer:** Sandpoint **Outback:** Colburn
Soils on Site	Priestlake gravelly sandy loam
Depth to Ground Water	Less than one foot to seasonal high ground water/ More than three feet required for land application/ Normally during permitted land application periods greater than three feet.
Beneficial Uses of Ground Water	Agricultural, Drinking water
Nearest affected Surface Water	**Schweitzer:** Schweitzer Creek, a tributary to Sand Creek and Lake Pend Oreille **Outback:** Colburn Creek, a tributary to the Pack River and Lake Pend Oreille.
Beneficial Uses of Surface Water	Agriculture and Drinking Water (The Colburn Water Association is located nearby but is supplied water from a surface water intake on Berry Creek, a tributary to Colburn Creek outside the Schewitzer Outback drainage area.
Facility Contact Person **Mailing Address** **Phone/Fax Number**	Wayne Benner, Director of Public Works, 263-3044 Jim Lackey, Supervisor (and Certified Operator), 255-3045 Resort Water Company 10000 Schweitzer Mountain Road Sandpoint, ID 83864 (208) 263-9555 or 263-3331; fax 263-0775

D. Site Maps:
Schweitzer Spray Irrigation: Areas 1A, 1B, and 2-13

D. Site Maps:

Schweitzer Subsnow Application: Areas S-1 and S-2

D. Site Maps

Schweitzer Subsnow Application: Areas S-3 to S-8

D. Site Maps

Schweitzer Subsnow Application: Areas S-9 to S-13

D. Site Maps

Outback Subsnow Application: Areas OUT I & II

E. Environmental Monitoring Serial Numbers

Computerized Data Reporting Serial Number Key

HYDRAULIC MANAGEMENT UNITS (HMUs)			
Description Spray Irrigation in 14 management areas	**Acres**	**Max. MGA**	**Serial No.**
1A	0.70	0.42	MU-009001
1B	1.80	1.08	MU-009002
2	3.00	1.80	MU-009003
3	2.50	1.50	MU-009004
4	3.00	1.80	MU-009005
5	2.50	1.50	MU-009006
6	2.50	1.50	MU-009007
7	3.00	1.80	MU-009010
8	3.00	1.80	MU-009011
9	3.00	1.80	MU-009012
10	3.00	1.80	MU-009013
11	3.00	1.80	MU-009014
12	2.50	1.50	MU-009015
13	2.50	1.50	MU-009016
Subtotal	**36.0**	**21.6**	
Subsnow Application on 14 management areas			
S-1A	1.00	0.60	MU-009008
S-2A	1.00	0.60	MU-009009
S-2B	1.00	0.60	MU-009009
S-3	2.21	1.33	MU-009017
S-4	2.31	1.39	MU-009018
S-5	1.18	0.708	MU-009019
S-6	1.13	0.678	MU-009020
S-7/8	0.74	0.444	MU-009021
S-9	3.50	2.100	MU-009023
S-10	8.45	5.070	MU-009024
S-11	3.87	2.322	MU-009025
S-12	3.12	1.872	MU-009026
S-13	2.48	1.488	MU-009027
S-14	2.43	1.458	MU-009028
(S-15)*	(3.67)	(2.20)	(MU-009029)
Subtotal	**34.42**	**20.65**	
*Area S-15 is planned but not in use until needed.	**Maximum**	**42.25**	

WASTEWATER AND SURFACE WATER SAMPLING POINTS	
Description	**Serial No.**
Schweitzer Creek at least 300 feet above the Treatment Site and HNU application areas	SW-009001
Schweitzer Creek at least 300 feet below the Treatment Site and HNU application areas	SW-009002
New Lagoon #2 underdrain discharge.	SW-009003
As appropriate, at sprinkler heads for spray irrigation or in operations building for subsnow.	WW-009001

LAGOONS		
Description	**Location**	**Serial No.**
Lagoon #1 (1.3 MG capacity installed in 1970)	Treatment Site T58N, R2W, S21	LG-009001
Lagoon #2 (11.7MG capacity expanded in 1996)	Treatment Site T58N, R2W, S21	LG-009002

GROUNDWATER MONITORING PIEZOMETERS		
Description	**Location**	**Serial No.**
Schweitzer Subsnow HMUs		
#1	Downgradient S12	GW-009001
#2	Upgradient S-13	GW-009002
#3	Downgradient S-11	GW-009003
#4	Upgradient S-10	GW-009004
#5	Downgradient S-10	GW-009005
#6	Downgradient S-10	GW-009006
#7	Downgradient S-2	GW-009007
#8	Upgradient S-2	GW-009008
#9	Downgradient S-2	GW-009009
#10	Upgradient S-3,4	GW-009010
#11	Downgradient S-1	GW-009011
#12	Downgradient S-1	GW-009012
#13	Downgradient S-9	GW-009013
#14	Downgradient S-8	GW-009014
#15	Downgradient S-7	GW-009015
#16	Downgradient S-6	GW-009016
#17	Downgradient S-5	GW-009017
#18	Downgradient S-4	GW-009018
#19	Downgradient S-3	GW-009019
Schweitzer Spray Irrigation Areas		
#S-1	Upgradient 8,10	GW-009020
#S-2	Downgradient 7	GW-009021
#S-3	Downgradient 8	GW-009022
#S-4	Downgradient 9	GW-009023
#S-5	Downgradient 3	GW-009024
#S-6	Downgradient 2	GW-009025
#S7	Downgradient 1	GW-009026
#S8	Downgradient 4	GW-009027
#S9	Downgradient 5	GW-009028
#S10	Downgradient 5a,5b	GW-009029

GROUNDWATER MONITORING PIEZOMETERS		
Description	**Location**	**Serial No.**
Outback		
OUT-1-1	Downgradient West of OUT-1	GW-009031
OUT-1-2	Downgradient Below OUT-1	GW-009032
OUT-1-3	Downgradient BelowOUT-1	GW-009032
OUT-1-4	Downgradient East OUT-1	GW-009033
OUT-1-5	Downgradient & Lateral East of OUT-1	GW-009034
OUT-2-1	Downgradient & Lateral West of OUT-2	GW-009035
OUT-2-2	Downgradient Below &West OUT-2	GW-009036
OUT-2-3	Downgradient Below OUT-2	GW-009037
OUT-2-4	Downgradient Below OUT-2	GW-009038
OUT-2-5	Downgradient Below and East OUT-2	GW-009039

F. Reference Documents incorporated or to be incorporated into the Permit

1. Wastewater Treatment Facility Plan of Operation for Schweitzer Mountain Resort. Prepared by Kimball Engineering November 1995.

2. Schweitzer Mountain Resort Infiltration/Inflow Study by Kimball Engineering, August 1999.

3. Application for Wastewater Land Application Permit No. LA-000090-2 Renewal and Modification for Schweitzer Mountain Resort, Kimball Engineering, January 1999.

4. Schweitzer Mountain Resort - 5 Year Wastewater Plan, letter dated November 15, 1999 from Kimball Engineering to Schweitzer Mountain Resort.

5. Wastewater – Land Application Permit Program Resource and Training Manual (September 1999). Available from DEQ-Boise.

6. Silvicultural Site Plan Recreations Utility Effluent Land Application Site by Phil Opperman, Forester, Date December, 1995

G. Compliance Schedule For Required Activities

The Activities in the following table shall be completed on or before the Completion Date unless modified by the DEQ in writing.

Compliance Activity Number and **Completion Date**	Compliance Activity Description
CA-00090-01 **Annually** **During January**	**Inflow/Infiltration Report:** As an addendum to each WLAP Annual Report, include a written report by the engineer describing and evaluating the work completed during the past construction season to correct excessive inflow and infiltration in accordance with the recommendations of the Schweitzer Mountain Resort Infiltration/Inflow Study by Kimball Engineering, August 1999. Include a description and schedule of Inflow/Infiltration project to be undertaken during the next construction season.
CA-00090-02 **Annually** **During January**	**Wastewater Master Plan Report** As an addendum to each WLAP Annual Report, include a written report from the design engineer reflecting compliance of the Schweitzer sewer system with the recommendations for improvements to accommodate growth as outlined in the Schweitzer Mountain Resort - 5 Year Wastewater Plan, letter dated November 15, 1999 from Kimball Engineering to Schweitzer Mountain Resort or with the latest revision of the Wastewater Master Plan. Include a description and schedule of system improvements to be undertaken during the next construction season. Approval of construction plans and specifications stamped by the design engineer for all wastewater system improvements (including collection system improvements) and submittal of as-built plans certified by the inspecting engineer and provided within 30 days of completion of construction must be approved by DEQ in accordance with Section 39-118 of Idaho Code.
CA-00090-03 **August 1, 2003**	**Silvicultural Plan** Submit an updated silvicultural plan prepared by a professional forester for the expanded Schweitzer subsnow and spray irrigation acres and for the proposed Outback subsnow application areas. Revision and expansion of the previous document called the Silvicultural Site Plan Recreations Utility Effluent Land Application Site by Phil Opperman, Forester, Date December, 1995 is acceptable for the Schweitzer subsnow and spray irrigation HMUs. A new silvicultual plan for the Outback land application areas will need to be developed.

Compliance Activity Number and **Completion Date**	Compliance Activity Description
CA-00090-04 **Annually During January**	**Outback Surface Application Report** As an addendum to each WLAP Annual Report, include a report indicating plans to proceed and a schedule for the next construction season with the improvements to the Outback sewer system. Maintain with DEQ the approval status of plans and specifications approved by the DEQ on September 18, 2001 for construction of the Outback water and sewer system improvements. With completion of construction, submittal of as-built plans and specifications to the DEQ, and one year of operation of the growing season subsnow experimental site, submit a summary report with the WLAP Annual Report of the performance of the growing season subsnow experiment at the Outback site.
CA-0090-05 **January 1, 2007**	**Wastewater Master Plan Update** As an addendum to the WLAP Annual Report for the 2006/7 reporting period, the design engineer shall include a wastewater master plan. This plan shall evaluate the performance of the Schweitzer and Outback sewer systems during the previous five-year permit period and establish a list of recommendations for system improvements based on the next five year growth projections. As an alternate to a five-year planning period, the report can relate needed improvements to increments of the number of equivalent residential units that are expected to involve at least five years.

H. Special Conditions: None.

I. Standard Permit Limits and Conditions

The Permittee is allowed to apply wastewater and treat it on a land application site as prescribed in the tables below and in accordance with all other applicable permit conditions and schedules.

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Category	Permitted Limits and Conditions
Type of Wastewater	Municipal Wastewater
Application Site Area	Slow Rate Spray Irrigation and Subsnow Application only on Hydraulic Management Units (HMUs) listed in Part E at the Schweitzer and Outback facilities.
Application Season	**Schweitzer:** Spray Irrigation: May 1 – October 31 Subsnow: December 1 to March 31 No subsnow or spray irrigation on the applicable HMU when Groundwater Monitoring Piezometers listed in Part E show static ground water level within 36-inches of the ground surface. **Outback:** Subsnow: December 1 to March 31 Surface distribution using subsnow system: July 1 to October 1 No subsnow or surface application using the subsnow system on OUT-1 or OUT-2 when any of the ten Groundwater Monitoring Piezometers for the Outback listed in Part E show static ground water level within 36-inches of the ground surface. The second year use of the subsnow system at the Outback for growing season land application is contingent upon DEQ approval based on successful completion of the practice during the first year of operation.
Maximum Hydraulic Loading Rates for Spray Irrigation and Subsnow Systems	**Schweitzer:** Maximum annual application rate for spray irrigation shall not exceed approximately 600,000 gallons per acre. Total cumulative loading (precipitation and irrigation) shall not exceed 22.9 inches per year. Maximum weekly spray irrigation rates based on not less than three applications per week shall not exceed the following: May…….05 inch/week June……1.5 inch/week July……..2.0 inch/week* August…….2.0 inch/week* September……1.0 inch/week October……0.5 inch/week *When daytime air temperatures are in excess of 75 degrees F. Otherwise limited to 1.5 inches/week. Maximum annual application rate for subsnow application shall not exceed 600,000 gallons per acre. Weekly dosing shall not exceed 40,000 gallons per acre for any subsnow HMU. Dosing frequency on any subsnow HMU shall be not less than three applications per week or less than 20,000 gallons per dose per acre. **Outback:** The same subsnow application rates as for Schweitzer above shall apply. The loadings for the growing season period using the subsnow distribution system shall be developed by the design engineer and administratively approved by the DEQ for this permit after the first year of operation.
Downgradient ground water	Ground Water Quality shall be in compliance with *Idaho Ground Water Quality Rule* IDAPA 58.01.11

Category	Permitted Limits and Conditions
Maximum Nitrogen Application Rate	Not to exceed 150 lbs/acre on any HMU for both systems.
Forest Management	Timber harvest and management shall be in accordance with the recommendations of the approved Silvicultural Site Plan revised per this permit.
Signing and Public Assess	Warning signs shall be prominently posted and maintained every 500 feet around the perimeter of the land application areas designating the site as used wastewater reuse and prohibiting entry. No fencing of the application sites required.

Buffer Zone Distances (For sprinkler irrigation or growing season application using subsnow distribution)	**Disinfection Level* (total coliform)**	**Distance to Public Access**	**Distances to Inhabited Dwellings**	**Distance to streams**	**Distance to private water sources**	**Distance to Public Water Sources**	**Single Sample maximum total coliform level**
	230/100ml	300 feet	1,000 feet	50 feet	500	1000	2400/100ml

- For determining compliance with the 230 / 100 ml disinfection level, the median value of the last three (3) results must not exceed 230 / 100 ml. In addition, no single sample value shall exceed 2400 / 100 ml.

J. Standard Monitoring Requirements

1) Appropriate analytical methods, as given in the *Handbook for Land Application of Municipal and Industrial Wastewater, April 1996*, or as approved by the Idaho Department of Environmental Quality (hereinafter referred to as DEQ), shall be employed. A description of approved sample collection methods, appropriate analytical methods and companion QA/QC protocol shall be included in the Operation and Maintenance Manual.
2) The permittee shall monitor and measure parameters as stated in the Facility Monitoring Schedule in this section. Samples shall be collected at times and locations that represent typical environmental and process parameters being monitored.
3) Monitoring locations are described in Section E. Environmental Monitoring Serial Numbers.
4) Monitoring is required at the frequency shown in the table below if wastewater is applied anytime during the time period shown.
5) Ground water monitoring wells shall be purged a minimum of three (3) casing volumes prior to obtaining a sample of ground water. The static water level shall be measured prior to pumping or sampling the ground water.

Facility Monitoring Schedule

Schweitzer: Frequency	Monitoring Point	Description and Type of Monitoring	Parameters
Annually	Equivalent Residential Units (EHUs)	New ERUs that connected to the sewer system during the year. Total ERUs now actively connected to the sewer system. ERUs not presently connected to the sewer system but with approval to connect and/or with paid connection fees ERUs planned for the next year.	• Number of existing ERUs • Number of new ERUs since last report. • Number of ERUs entitled to connection but not connected. • Numbers of ERUs planned for the next year
May 1 to October 31	Standard Rain gauge at lagoon site	Precipitation	Inches of rainfall during a 24-hour day in excess of ¼-inch. (Irrigation rates must be adjusted to reflect weekly rainfall accumulations.)
June and October	Lagoon #2 underdrain	Discharge measurement and sampling from the outlet of the underdrain located below the lagoon liner.	Estimated flow in gallons per minute. Fecal Coliform bacteria sample if flow present. Report as organisms/100ml)
Weekly with monthly totals	Lagoon Influent Flow Meter and Lagoon Level	Volume of wastewater received at the lagoons and stored in the lagoons	Gallons per week and total per month
Daily when land applying	Flow meter on effluent pump in the operations building.	Volume of Wastewater land applied by either spray irrigation or subsnow.	Gallons applied each day to each Hydraulic Management Unit. Total gallons and inches applied to each HMU for the month and year.
Monthly whenever land applying	Discharge Point of Wastewater to Land Application	Grab Sample	Total Nitrogen

Schweitzer: Frequency	Monitoring Point	Description and Type of Monitoring	Parameters
Twice per month for Total Coliform Bacteria when spray irrigating (May-October)	Discharge Point of Wastewater to Land Application	Grab Sample	Total Coliform count per 100 ml.
April and November	All Part E Groundwater Monitoring Piezometers.	Depth measurement before purging. Grab Samples after purging	Static Water Level Depth Nitrate-N Chloride Electric Conductivity (E.C.) Total Coliform Bacteria
May 1 to October 31 monthly and/or weekly until ground water > 36-inches below ground surface.	Spray Irrigation Groundwater Monitoring Piezometers per Part E	Static Ground Water Level in the piezometer below ground surface	Feet or Inches below Ground Surface
November 1 to April 31 monthly and/or weekly until ground water is > 36-inches below ground surface.	Subsnow Groundwater Monitoring Piezometers per Part E	Static Ground Water Level in the piezometer below ground surface	Feet or Inches below Ground Surface
Bi-annual (April and November)	Upstream and Downstream of the WLAP areas in Schweitzer Creek	Grab Sample and Flow Estimate.	Flow in cfs; Nitrate-N; Chloride; Electric Conductivity (E.C.) and Total & Fecal Coliform Bacteria
Annually	All Hydraulic Management Unit	Total nitrogen loading calculation from average annual wastewater samples.	Nitrogen applied from wastewater in lbs/acre.
Annually if applicable	All Hydraulic Management Unit	Timber Harvesting	Million Board Feet or other appropriate harvest measurement.
Outback			
Weekly and Monthly when open	Drinking Water Flow Meter(s)	Water consumed at Outback Inn	Gallons used per week and total for each month
Weekly and Monthly when operating.	Flow meter on effluent pumps.	Volume pumped to subsnow areas OUT-1 and OUT-2	Gallons per week and monthly totals in gallons and inches for each HMU.
Monthly for static water level and April and November for water quality parameters.	Groundwater Monitoring Piezometers	Depth measurement before purging. Grab Samples after purging	Static Water Level Depth Nitrate-N Chloride Electric Conductivity (E.C.) Total Coliform Bacteria
Monthly whenever land applying	Discharge Point of Wastewater to Land Application	Grab Sample	Total Nitrogen

Schweitzer: Frequency	Monitoring Point	Description and Type of Monitoring	Parameters
Twice per month for Total Coliform Bacteria when applying between May-October without snow cover present.	Discharge Point of Wastewater to Land Application	Grab Sample	Total Coliform count per 100 ml.
Annually	OUT-1 and OUT 2	Total nitrogen loading calculation from average annual wastewater samples.	Nitrogen applied from wastewater in lbs/acre.
Annually if applicable	All Hydraulic Management Unit	Timber Harvesting	Million Board Feet or other appropriate harvest measurement.

K. Standard Reporting Requirements

1. The permittee shall submit an Annual Wastewater-Land Application Site Performance Report ("Annual Report") prepared by a competent environmental professional no later than January 31 of each year which shall cover the previous year from January 1 through December 31. The Annual Report shall include results for monitoring required in Section E, status of compliance activities, and an interpretive discussion of monitoring data (ground water, vadose zone, hydraulic loading, wastewater etc.) with particular respect to environmental impacts by the facility.
2. Monthly and Quarterly Summary reports previously required by LA-00090-01 are not required by this permit unless DEQ determines by written notice to the Permittee that complete and comprehensive Annual Reports in compliance with Parts I or J are not being submitted.

L. Standard Permit Conditions: Procedures and Reporting

1. The permittee shall at all times properly maintain and operate all structures, systems, and equipment for treatment, operational controls and monitoring, which are installed or used by the permittee to comply with all conditions of the permit or the Wastewater-Land Application Permit Regulations, in conformance with a DEQ approved, current Plan of Operations (Operations and Maintenance Manual) which describes in detail the operation, maintenance, and management of the wastewater treatment system. This Plan of Operations shall be updated as necessary to reflect current operations.

2. Wastewater(s) or recharge waters applied to the land surface must be restricted to the premises of the application site unless permission has been obtained from the DEQ authorizing a discharge into the waters of the State as stated in IDAPA 58.01.02.600.02.

3. Wastewater must not create a public health hazard or nuisance condition as stated in IDAPA 58.01.02.600.03. In order to prevent public health hazards and nuisance conditions the permittee shall:

a. Apply wastewater as evenly as practicable to the treatment area;
b. Prevent organic solids (contained in the wastewater) from accumulating on the ground surface to the point where the solids putrefy or support vectors or insects; and
c. Prevent wastewater from ponding in the fields to the point where the ponded wastewater putrefies or supports vectors or insects.

4. As a result of the land application of wastewater, ground water of the state must not contain contaminants exceeding those values as referenced under IDAPA 58.01.11.200a, b and c of the Ground Water Quality Rule, unless otherwise specified in this permit.

5. The permittee shall:

a. Manage the wastewater land application treatment site as an agronomic operation where vegetative cover is grown and harvested or grazed to utilize the nutrients and minerals in the wastewater, and,
b. Not hydraulically overload any particular areas of the wastewater land application treatment site.

6. All waste solids, including dredgings and sludges, shall be utilized or disposed in a manner which will prevent their entry, or the entry of contaminated drainage or leachate therefrom, into the waters of the state such that health hazards and nuisance conditions are not created; and to prevent impacts on designated beneficial uses of the ground water and surface water. The permittee's management of waste solids shall be governed by the terms of the DEQ approved Waste Solids Management Plan, which upon approval shall be an enforceable portion of this permit.

7. If the permittee intends to continue operation of the permitted facility after the expiration of an existing permit, the permittee shall apply for a new permit at least six months prior to the expiration date of the existing permit in accordance with the Waste Water Land Application Permit Regulations and include seepage tests on all lagoons per latest DEQ procedures.

8. The permittee shall allow the Director of the Idaho Department of Environmental Quality or the Director's designee (hereinafter referred to as Director), consistent with Title 39, Chapter 1, Idaho Code, to:

a. Enter the permitted facility,
b. Inspect any records that must be kept under the conditions of the permit.
c. Inspect any facility, equipment, practice, or operation permitted or required by the permit.
d. Sample or monitor for the purpose of assuring permit compliance, any substance or any parameter at the facility.

9. The permittee shall report to the Director under the circumstances and in the manner specified in this section:

a. In writing thirty (30) days before any planned physical alteration or addition to the permitted facility or activity if that alteration or addition would result in any significant change in information that was submitted during the permit application process.
b. In writing thirty (30) days before any anticipated change which would result in non-compliance with any permit condition or these regulations.
c. Orally within twenty-four (24) hours from the time the permittee became aware of any non-compliance which may endanger the public health or the environment at telephone numbers provided in the permit by the Director (see below)

DEQ Regional Office: see Permit Certification Page
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d. In writing as soon as possible but within five (5) days of the date the permittee knows or should know of any non-compliance unless extended by the DEQ. This report shall contain:

i. A description of the non-compliance and its cause;
ii. The period of non-compliance including to the extent possible, times and dates and, if the non-compliance has not been corrected, the anticipated time it is expected to continue; and
iii. Steps taken or planned to reduce or eliminate reoccurrence of the non-compliance.

e. In writing as soon as possible after the permittee becomes aware of relevant facts not submitted or incorrect information submitted, in a permit application or any report to the Director. Those facts or the correct information shall be included as a part of this report.

10. The permittee shall take all necessary actions to prevent or eliminate any adverse impact on the public health or the environment resulting from permit noncompliance.

11. The permittee shall determine (on an on-going basis) if any noxious weed problems relate to the permitted sites. If problems are present, coordinate with the Idaho Department of Agriculture or the local County authority regarding their requirements for noxious weed control. Also address these control operations in an update to the Operations and Maintenance Manual.

M. Standard Permit Conditions: Modifications, Violations, and Revocations

1. The permittee shall furnish to the Director within reasonable time, any information including copies of records, which may be requested by the Director to determine whether cause exists for modifying, revoking, re-issuing, or terminating the permit, or to determine compliance with the permit or these regulations.

2. Both minor and major modifications may be made to this permit as stated in IDAPA 58.01.17.700.01 and 02 with respect to any conditions stated in this permit upon review and approval of the DEQ.

3. Whenever a facility expansion, production increase or process modification is anticipated which will result in a change in the character of pollutants to be discharged or which will result in a new or increased discharge that will exceed the conditions of this permit, or if it is determined by the DEQ that the terms or conditions of the permit must be modified in order to adequately protect the public health or environment, a request for either major or minor modifications must be submitted together with the reports as described in G. Reporting Requirements, and plans and specifications for the proposed changes. No such facility expansion, production increase or process modification shall be made until plans have been reviewed and approved by the DEQ and a new permit or permit modification has been issued.

4. Permits shall be transferable to a new owner or operator provided that the permittee notifies the Director by requesting a minor modification of the permit before the date of transfer.

5. Any person violating any provision of the Waste Water Land Application Permit Regulations, or any permit or order issued thereunder shall be liable for a civil penalty not to exceed ten thousand dollars ($10,000) or one thousand dollars ($1,000) for each day of a continuing violation, whichever is greater. In addition, pursuant to Title 39, Chapter 1, Idaho Code, any willful or negligent violation may constitute a misdemeanor.

6. The Director may revoke a permit if the permittee violates any permit condition or the Wastewater Land Application Permit Regulations.

7. Except in cases of emergency, the Director shall issue a written notice of intent to revoke to the permittee prior to final revocation. Revocation shall become final within twenty (20) days of receipt of the notice by the permittee, unless within that time the permittee request an administrative hearing in writing to the Director.

8. The Director shall notify the permittee in writing of any revocation hearing at least twenty (20) days prior to the date set for such hearing. The hearing shall be conducted in accordance with Title 67, Chapter 52, Idaho Code.

9. If, pursuant to Idaho Code 67-5247, the Director finds the public health, safety or welfare requires emergency action, the Director shall incorporate findings in support of such action in a written notice of emergency revocation issued to the permittee. Emergency revocation shall be effective upon receipt by the permittee. Thereafter, if requested by the permittee in writing the Director shall provide the permittee a revocation hearing and prior notice thereof. Such hearings shall be conducted in accordance with Title 67, Chapter 52, Idaho Code.

10. The provisions of this permit are severable and if a provision or its application is declared invalid or unenforceable for any reason, that declaration will not affect the validity or enforceability of the remaining provisions.

11. The permittee shall notify the DEQ at least six (6) months prior to permanently removing any permitted land application site from service. Prior to commencing site closure activities, the permittee shall: a) participate in a pre-site closure meeting with the DEQ; b) develop a site closure plan that identifies specific closure or cleanup tasks with scheduled task completion dates in accordance with agreements made at the pre-site closure meeting; and c) submit the completed site closure plan to the DEQ for review and approval within forty-five (45) days of the pre-site closure meeting. The permittee must complete the DEQ approved site closure plan.